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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,995	06/27/2003	Pontus Andersson	AWA-066XX	6412

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BOSTON, MA 02109

EXAMINER

DUNWOODY, AARON M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,995

Applicant(s)

ANDERSSON, PONTUS

Examiner

Aaron M Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-23,26 and 39-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-23,26 and 39-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/7/2005 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 8, the phrase "and/or" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and/or" thereby rendering the scope of the claim(s) unascertainable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-9, 11-22, 26 and 39-50 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 3235293, Condon.

In regards to claim 1, Condon discloses assembly system for a pipe coupling, the system comprising:

a first pipe element (10) and a second pipe element (10), the pipe elements each having an outwardly directed circumferential bead or flange,

a circumferential clamping device (16, 17) to be applied on the outside of the ends of the pipe elements and to be tightened around the same when the two pipe elements are placed end-to-end, and

a coupling device (30, 32) disposed between an end face of the first pipe element and an opposing end face of the second pipe element when the end faces of the first and second pipe elements are axially aligned and beneath the circumferential clamping device, and configured to align or hold the two pipe elements during the assembly, the coupling device having at least one coupling means (30b) extending outwardly in an axial direction towards the pipe elements, and the coupling means configured to engage the beads or flanges of the two pipe elements on the outside of the pipe elements.

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In regards to claim 4, Condon discloses each outwardly directed circumferential bead or flange being disposed at the end of the pipe element.

In regards to claim 5, Condon discloses the coupling device being a ring comprising a first and a second coupling means, where the first coupling means is adapted to outwardly engage the bead or flange of the first pipe element and the second coupling means is adapted to outwardly engage or hold the bead or flange of the second pipe element.

In regards to claim 6, Condon discloses the coupling means having a groove adapted to engage the beads or flanges of the pipe elements.

In regards to claim 7, Condon discloses the coupling means being adapted to engage a part of the pipe elements or a part of the beads or flanges of the pipe elements.

In regards to claim 8, Condon discloses the first coupling means extending along part of the circumference of the ring so as to engage the first pipe element or the bead or flange of the first pipe element, and the second coupling means extending along part of the circumference of the ring so as to engage or hold the second pipe element or the bead or flange of the second pipe element.

In regards to claim 9, Condon discloses the first coupling means being adapted to outwardly engage an upper part of the first pipe element or the bead or flange of the first pipe element and the second coupling means being adapted to outwardly engage or hold a lower part of the second pipe element or the bead or flange of the second pipe element.

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In regards to claim 11, Condon discloses the coupling means comprising friction enhancing means (32b) on the surface facing the pipe elements or the bead or flange of the pipe elements.

In regards to claim 12, Condon discloses the coupling device comprising sealing means (32c).

In regards to claim 13, Condon discloses the coupling device being made of plastic material, rubber material, metal or reinforced fibre material.

In regards to claim 14, Condon discloses the clamping device being tightened around the ends of the pipe elements or the beads or flanges of the pipe elements and the coupling device by a locking mechanism.

In regards to claim 15, Condon discloses the coupling device being an integrated part of the end of the first pipe element.

In regards to claim 16, Condon discloses a method for coupling a first pipe element and a second pipe element, the pipe elements each having an outwardly directed circumferential bead or flange, the method comprising

- applying a circumferential clamping device on the outside of the first pipe element in an untightened position;

- arranging a coupling device in engagement with the bead or flange of the first pipe element;

bringing the bead or flange of the second pipe element into engagement with the coupling device with the coupling device disposed between an end face of the first pipe

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element and an opposing end face of the second pipe element, thus aligning or holding
maid two pipe elements during the assembly;

- applying the circumferential clamping device on the outside of the ends of the
pipe elements; and

- tightening the circumferential clamping device around the ends of the pipe
elements.

In regards to claim 17, Condon discloses a method for coupling a first pipe element and a second pipe element, the pipe elements each having an outwardly directed circumferential bead or flange, use being made of an assembly system comprising a circumferential clamping device, which is applied on the outside of the ends of the pipe elements and tightened around the same when the two pipe elements are placed end-to-end, wherein a coupling device is arranged between an end face of the first pipe element and an opposing end face of the second pipe element when the end faces of the first and second pipe elements are axially aligned and in engagement with the bead or flange of the two pipe elements on the outside of the two pipe elements, to align or hold the two pipe elements during the assembly, and tightening the clamping device to couple the two pipe elements together.

In regards to claim 18, Condon discloses use of an assembly system as claimed in claim 1 for coupling a first pipe element and a second pipe element.

In regards to claim 19, Condon discloses each outwardly directed circumferential bead or flange being disposed at the end of the pipe element.

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In regards to claim 120 Condon discloses a coupling device for an assembly system for a pipe coupling including a first pipe element and a second pipe element, the pipe elements each having an outwardly directed circumferential bead or flange, the coupling device configured to be disposed between an end face of the first pipe element and an opposing end face of the second pipe element when the end faces of the first and second pipe elements are axially aligned, the coupling device having at least one coupling means extending outwardly in the axial direction, the coupling means configured to engage the beads or flanges of the two pipe elements on their outside.

In regards to claim 21, Condon discloses the coupling device being a ring comprising a first and a second coupling means, where the first coupling means is adapted to outwardly engage the first pipe element and the second coupling means is adapted to outwardly engage or hold the second pipe element.

In regards to claim 22, Condon discloses the first coupling means being adapted to outwardly engage an upper part of the first pipe element and the second coupling means is adapted to outwardly engage or hold a lower part of the second pipe element.

In regards to claim 26, Condon discloses an assembly system for a pipe coupling, the system comprising:

a first pipe element, a second pipe element, and a circumferential clamping device to be applied on the outside of the ends of the pipe elements and to be tightened around the pipe elements when the two pipe elements are placed end-to-end;

a coupling device to be arranged between an end face of the first pipe element and an opposing end face of the second pipe elements element when the end faces of

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the first and second pipe elements are axially aligned and beneath the circumferential clamping device, wherein the coupling device has at least one coupling means extending outwardly in an axial direction towards the pipe elements and wherein the second pipe element has an outwardly directed circumferential bead or flange,

wherein the coupling device is an integrated part of the end of the first pipe element and the coupling means is arranged to engage the bead or flange of the second pipe element on its outside so as to align or hold the two pipe elements during the assembly.

In regards to claims 39-50, Condon discloses use of an assembly system as claimed in claims 4-15 for coupling a first pipe element and a second pipe element.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Cordon.

In regards to claims 10 and 23, Cordon discloses the claimed invention except for the coupling ring comprising a plurality of the first coupling means and a plurality of the second coupling means, the first and second coupling means being spaced apart along the circumference of the coupling ring; and two semi-circular coupling means. It would have been obvious to one having ordinary skill in the art at the time the invention

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was made to fabricate the coupling ring with a plurality of the first coupling means and a plurality of the second coupling means, the first and second coupling means being spaced apart along the circumference of the coupling ring; and two semi-circular coupling means, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Response to Arguments

Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.

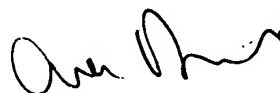
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody
Primary Examiner
Art Unit 3679

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